

REMARKS

This amendment is responsive to the non-final Office Action dated October 31, 2007 and received in this application. In the amendment, claims 1, 4-7 and 11-14 have been amended. Reconsideration of the pending claims in light of these amendments and the following remarks is respectfully requested.

These amendments add no new matter. Support for these amendments is variously found in Applicant's specification as filed, including but not necessarily limited to FIG. 2 and ¶¶[0050]-[0065] of the specification as represented in U.S. Pub. No. 2007/0130199 A1.

Claims 1-3 and 11-14 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,553,180 to Kikuchi et al. ("Kikuchi"). This rejection is traversed.

Claim 1 has been amended and now recites: *[a] file managing apparatus for managing files recorded on a recording medium which has an index file recorded as a series of entries including blocks of extract information derived from and corresponding to said files to be managed;*

wherein said index file includes a plurality of files into which data including the extract information is divided by attribute and the plurality of files includes a property file having data representative of attributes of said files to be managed;

wherein said file managing apparatus records a still picture file in such a manner that an entry including extract information about the still picture file is registered into said index file, and reorganizes said index file in such a manner that a plurality of still picture files recorded on said recording medium are grouped into a single movie file; and

wherein the entries corresponding to said plurality of still picture files grouped into said movie file are deleted from said index file by setting a valid-invalid information as invalid in the property file to indicate that the corresponding extract information is invalid, while an entry including extract information about said movie file is registered into said index file.

These claimed features are neither disclosed nor suggested by Kikuchi. Kikuchi discloses a digital information recording/playback system and digital information recording medium. In Kikuchi, thumbnail control information is extracted from a moving picture of a video.

The thumbnail control information includes information for generating a thumbnail image that is generated based on the contents of the video data. Additionally, information is provided for using the generated thumbnail picture in a menu corresponding to the contents of the video data, and the user can create a menu corresponding to the video recorded contents.

Thus, Kikuchi discloses techniques for extracting thumbnail control information (and generating thumbnails) from a video. This is quite distinct from, and indeed clearly teaches away from Applicant's claimed invention. Kikuchi extracts still images from an existing movie file. In clear contrast, with Applicant's claimed invention, previously recorded still picture files and corresponding index files are reorganized so that the still picture files are grouped (and, from an indexing perspective, treated as) a single movie file. This allows for a reduction of index information where large numbers of still picture files are stored, and easier organization thereof. These features are in no way mentioned or addressed in any way in the Kikuchi reference.

With specific reference to claim 1, the Kikuchi reference is thus quite clearly devoid of various features recited therein, including *"wherein said file managing apparatus records a still picture file in such a manner that an entry including extract information about the still picture file is registered into said index file, and reorganizes said index file in such a manner that a plurality of still picture files recorded on said recording medium are grouped into a single movie file."* Again, there is no reorganization of the index file in Kikuchi in the fashion claimed by Applicant. There is no mention of having still picture files recorded, with corresponding entries, and then reorganizing the previously recorded still picture files such that they are grouped into a single movie file as claimed.

There is also clearly no disclosure or suggestion in Kikuchi of *"wherein the entries corresponding to said plurality of still picture files grouped into said movie file are deleted from said index file by setting a valid-invalid information as invalid in the property file to indicate that the corresponding extract information is invalid, while an entry including extract information about said movie file is registered into said index file,"* as claimed by Applicant. The Examiner vaguely references a menu index information (FIG. 37) that includes the number of index pictures, information pictures, slide & still pictures, but this disclosure offers absolutely no indication of the

above-recited features of Applicant's invention. There is no mention of reorganization in the fashion claimed by Applicant, nor is there any mention of the particular way that such reorganization is carried out, including setting valid-invalid information as invalid, to indicate that the extract information corresponding to the still picture files is invalid.

Thus, Kikuchi is quite clearly deficient with regard to any mention of these claimed features, and cannot be reasonably concluded to anticipate claim 1. For reasons similar to those provided regarding claim 1, independent claims 12-14 are also neither disclosed nor suggested by Kikuchi. Dependent claims 2, 3 and 11 incorporate features recited in independent claim 1, and thus are distinct from Kikuchi for that reason as well as their separately recited patentably distinct features.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-3 and 11-14 under 35 U.S.C. 102(e) as being anticipated by Kikuchi.

Claims 4-7 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi in view of U.S. Pub. No. 2002/0061187 A1 to Date et al. ("Date"). This rejection is traversed.

Each of these claims depends directly or indirectly from independent claim 1, and thus incorporates the features recited therein. As noted, Kikuchi does not disclose or suggest the features of claim 1.

Date does not remedy the deficiencies of Kikuchi. Kikuchi discloses a recording apparatus for recording one or more still pictures (VOB) and still picture group management information (VOBGI) for managing the one or more still pictures (VOB) as a still picture group (VOBG) with still picture group management information (VOBGI) stored in memory. When the still picture (VOB) is recorded, first still picture management information (V_I) or second still picture management information (V_OA_I) is selected in accordance with audio, the first or second still picture management information in the still picture group management information (VOBGI) is recorded in the same order of recording corresponding still pictures. (See, *e.g.*, Date, at Abstract).

Date thus discloses a particular technique for organizing still pictures and corresponding management information. There is no mention of reorganizing an index file such that previously recorded still images are reorganized by having them grouped in a single movie file. Indeed, there is no mention of movie file organization of any kind in the Date references. Accordingly, like Kikuchi, Date offers no disclosure or suggestion of *“wherein said file managing apparatus records a still picture file in such a manner that an entry including extract information about the still picture file is registered into said index file, and reorganizes said index file in such a manner that a plurality of still picture files recorded on said recording medium are grouped into a single movie file,”* or *“wherein the entries corresponding to said plurality of still picture files grouped into said movie file are deleted from said index file by setting a valid-invalid information as invalid in the property file to indicate that the corresponding extract information is invalid, while an entry including extract information about said movie file is registered into said index file,”* as claimed by Applicant.

Since even the combination of Kikuchi and Date would still fail to yield these claimed features, a prima facie case of obviousness has not been established regarding the claims.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 4-7 under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi in view of Date.

Claim 8 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi in view Date, and further in view of U.S. Pub. No. 2002/0154337 A1 to Sakata et al. (“Sakata”). This rejection is traversed.

Claim 8 depends from claim 1 and thus incorporates the features recited therein. Kikuchi and Date do not disclose or suggest these claimed features as set forth above.

Sakata does not remedy the deficiencies of Kikuchi and Date. Sakata discloses a data recording apparatus having a storage medium with a dedicated storage area for detachable storage media. Input image data is recorded in the dedicated storage area, and the image data recorded in the dedicated storage area is recorded on a CD-R. There is no mention of movie file organization or of re-organization of previously recorded still images as claimed by Applicant. Thus, as with

Kikuchi and Date, there is clearly no disclosure or suggestion of “*wherein said file managing apparatus records a still picture file in such a manner that an entry including extract information about the still picture file is registered into said index file, and reorganizes said index file in such a manner that a plurality of still picture files recorded on said recording medium are grouped into a single movie file,*” or “*wherein the entries corresponding to said plurality of still picture files grouped into said movie file are deleted from said index file by setting a valid-invalid information as invalid in the property file to indicate that the corresponding extract information is invalid, while an entry including extract information about said movie file is registered into said index file,*” as claimed by Applicant.

Accordingly, a prima facie case of obviousness is clearly not presented, and Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 8 under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi in view of Date and Sakata.

This response is believed to be a complete response to the Office Action. However, Applicant reserves the right to set forth further arguments supporting the patentability of the claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicant expressly does not acquiesce to the taking of Official Notice, and respectfully requests that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Application No. 10/574,945
Amendment dated December 4, 2007
Reply to Office Action of October 31, 2007

Docket No.: SON-3117

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-3117 from which the undersigned is authorized to draw.

Dated: December 4, 2007

Respectfully submitted,

By  40,290

Christopher M. Tobin

Registration No.: 40,290

Ronald P. Kananen

Registration No.: 24,104

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 23353

Attorneys for Applicant